

August 26, 2003

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:00 p.m. on Tuesday, August 26, 2003, in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Lieu, McIntyre, Mauno, Nowatka, Scotto, Witkowsky, and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, Assistant City Attorney Pohl, City Clerk Herbers, and other staff representatives.

*

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17a) Conference with Legal Counsel – Existing Litigation, and 17b) Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code Sections 54956.9(a) and 54956.9(3)(A).

The Council reconvened in Council Chambers at 7:00 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Scotto.

City Clerk Herbers gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Mauno moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Nowatka, and passed by unanimous roll call vote.

MOTION: Councilmember Mauno moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

Agenda Items 7d and 7e were withdrawn.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Walker asked that the meeting be adjourned in memory of Fleet Services employee Lionel Davis who passed away on Sunday, August 24, 2003.

6. COMMUNITY MATTERS

6a. PROCLAMATION RE 18TH ANNUAL OKTOBERFEST FUNDRAISER

Mayor Walker presented proclamations to Alpine Village owners Hans and Teri Rotter for their dedication to charities serving the Torrance and South Bay Community and to the following organizations for supporting the 18th Annual Oktoberfest Fundraiser at Alpine Village on Saturday, September 6, 2003, at 6:00 p.m.: Daily Breeze; Help the Homeless Help Themselves; Norris Foundation; Endowment Foundation; Robert F. Kennedy Foundation; Carl E. Wynn Foundation; Knights of Columbus, Manhattan Beach; Somerville Plywood; H & C Sharp Disposal; Sertomas of Torrance; Citibank; Sons of Italy; Lufthansa; Tim Meyers Scholarship; Clark Construction; Hugo Neu-Proler Company; St. Lawrence Martyr Golf Club; Peninsula Pontiac GMC Buick; Mellon First Business Bank; Anastasi Construction Company; Peggy Doherty; Westside Concrete; St. James Catholic Church; Granstrom Masonry, Inc.; Little Company of Mary Hospital; and Westchester Bar and Grill.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES – June 24, 2003, July 1, 2003 and July 15, 2003

7b. INVESTMENT REPORT FOR JULY 2003

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of July 2003.

7c. WAIVER OF RENTAL FEES FOR EMPLOYEE VARIETY SHOW

Recommendation

Recommendation of the **City Manager** that City Council waive the rental fees at the James Armstrong Theater in the amount of \$1,440 for the City of Torrance Employee Variety Show.

7d. ANNUAL PURCHASE ORDER FOR NEW AND REPLACEMENT COMPUTER SERVERS AND LAPTOP COMPUTERS

Recommendation

Recommendation of the **Acting Information Technology Director** that City Council appropriate \$144,675 from the PC Replacement Fund and approve an annual purchase order in an anticipated amount not to exceed \$202,675 for the purchase of replacement and new computer servers and laptops over a period of one year from July 1, 2003 through June 30, 2004 with Dell Computer Corporation.

Item was withdrawn.

7e. ANNUAL PURCHASE ORDER FOR NEW AND REPLACEMENT PERSONAL COMPUTERS

Recommendation

Recommendation of the **Acting Information Technology Director** that City Council appropriate \$126,105 from the PC Replacement Fund and approve an annual purchase order to SYS Technologies, Inc. in an amount not to exceed \$204,170 for the purchase of new and replacement personal computers covering the period of July 1, 2003 through June 30, 2004.

Item was withdrawn.

7f. APPROVAL OF FINAL TRACT MAP NO. 53050

Recommendation

Recommendation of the **Engineering Director** that City Council:

- 1) Approve Final Tract Map No. 53050, creating 2 lots (Lot 1 in the City of Torrance and Lot 2 in the City of Lomita), located at 23990 Pennsylvania Avenue, which substantially conforms to and has met all conditions of approval of the Tentative Map; and
- 2) Accept a two-foot wide street easement along the east side of Pennsylvania Avenue for the length of Lot 1.

7g. GRANTING OF EASEMENT ON ROBINSON LEASE PROPERTY AT ZAMPERINI FIELD

Recommendation

Recommendation of the **Engineering Director** that City Council approve the granting of an access easement on the Robinson lease property at Zamperini Field (Torrance Airport) to Los Angeles County Flood Control District and direct the Mayor to execute and the City Clerk to attest to said easement when delivered by the County.

7h. PARKS AND RECREATION COMMISSION 2002-2003 ANNUAL REPORT

Recommendation

Recommendation of the **Parks and Recreation Director** and the **Parks and Recreation Commission** that City Council accept and file the Parks and Recreation Commission Annual Report for 2002-2003.

7i. RENEWAL OF COMMUTER TRANSPORTATION CONSULTANT CONTRACT

Recommendation

Recommendation of the **City Manager** that City Council approve the renewal of a contract with Kim Fuentes, for the Commuter Transportation Consultant (Rideshare) Program coordination in the amount of \$65,520 from September 7, 2003 through September 6, 2004, from AB2766 funds.

7j. RENEWAL OF SUPPORT SERVICE AGREEMENT FOR COMPUTER AIDED DISPATCH SOFTWARE

Recommendation

Recommendation of the **Acting Information Technology Director** and the **Fire Chief** that City Council authorize the Support Services Renewal Agreement with TriTech Software Systems in the amount of \$34,179.

7k. ESTOPPEL CERTIFICATE FOR FLITE PARK, LLC

Recommendation

Recommendation of the **Land Management Team** that City Council authorize the Mayor to execute and the City Clerk to attest to a Landlord's Estoppel Certificate by and among the City of Torrance, a California municipal corporation ("Ground Lessor") and Torrance Flite Park, LLC, a California limited liability company ("Borrower"), and The Bank of Hemet, a California corporation ("Bank") for City-owned property included in Lease Number C2001-118, located at Torrance Municipal Airport/Zamperini Field.

7l. PURCHASE ORDER RE COMMUNICATIONS/ELECTRONICS EQUIPMENT FOR POLICE VEHICLES

Recommendation

Recommendation of the **General Services Director** and **the Chief of Police** that City Council authorize the issuance of a purchase order to Hi Standard Automotive of Orange, CA, in an amount not to exceed \$83,734.90. The subject purchase order will cover purchase and installation of various items of communications and electronics equipment and other accessories in eleven (11) Ford Crown Victoria Police Interceptors and three (3) Chevrolet Impalas.

MOTION: Councilmember Lieu moved for the approval of Consent Calendar Items 7a through 7c and 7f through 7l. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. CONTINUATION OF STATE OF LOCAL EMERGENCY RE CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

11b. ADOPTION OF TORRANCE RECURRENT RECREATION EMPLOYEES ORGANIZATION MEMORANDUM OF UNDERSTANDING

Recommendation

Recommendation of the **City Manager** that City Council adopt a Memorandum of Understanding setting forth hours, wages, and working conditions for employees represented by Torrance Recurrent Recreation Employees Organization for the period of August 10, 2003 to June 30, 2004.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE RECURRENT RECREATION EMPLOYEES (TRREO) AUGUST 10, 2003 THROUGH JUNE 30, 2004 AND REPEALING RESOLUTION 2002-93.

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-117. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11c. ADOPTION OF TORRANCE PROFESSIONAL PARK AND RECREATION EMPLOYEES MEMORANDUM OF UNDERSTANDING

Recommendation

Recommendation of the **City Manager** that City Council adopt a Memorandum of Understanding setting forth hours, wages, and working conditions for employees represented by Torrance Professional Park and Recreation Employees Organization for the period of August 10, 2003 to June 30, 2004.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL PARK AND RECREATION EMPLOYEES (TPRREO) AND REPEALING RESOLUTION 2002-74.

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-118. The motion was seconded by Councilmember Witkowski and passed by unanimous roll call vote.

11d. AMENDMENT TO RESOLUTION NO. 2003-77 ADDING TORRANCE CITY EMPLOYEES ASSOCIATION TO PERS HEALTH PLAN

Recommendation

Recommendation of the **City Manager** that City Council adopt an amended Resolution, which adds the Torrance City Employees Association to the Public Employees Medical, and Hospital Care Act (PEMHCA).

Management Associate Lopez reported that the amendment was necessary to correct a scrivener's error in Resolution No. 2003-77.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION 2003-77 ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT AT OR GREATER THAN THAT BY SECTION 22825 OF THE GOVERNMENT CODE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-119. The motion was seconded by Councilmember Witkowski and passed by unanimous roll call vote.

11e. INCREASE IN EMPLOYER'S CONTRIBUTION FOR HEALTH CARE INSURANCE

Recommendation

Recommendation of the **City Manager** that City Council adopt a Resolution fixing the employer's contribution under the Public Employee's Medical and Hospital Care Act for Certain Full Time Salaried and Hourly Employees from \$51 per month to \$100 per month.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S' MEDICAL AND HOSPITAL CARE ACT. (CERTAIN FULL-TIME SALARIED AND HOURLY EMPLOYEES – [OR ANNUITANT]).

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-120. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

12. HEARINGS

12a. SELF-CERTIFICATION OF CONFORMANCE WITH LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM

Recommendation

Recommendation of the **Planning Director** that City Council:

- 1) Conduct a public hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority;
- 2) Adopt a Resolution to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and,
- 3) Direct staff to submit the CMP Local Implementation Report (LIR) as required by the Los Angeles County Metropolitan Transportation Authority.

Mayor Walker announced that this was the time and place for a public hearing on this matter, and City Clerk Herbers confirmed that the hearing was properly advertised.

Transportation Planning Manager Semaan advised that the 2003 CMP Local Implementation Report was prepared in compliance with Los Angeles County Metropolitan Transit Authority requirements.

Mayor Walker invited public comment; as there were no requests to speak, the public hearing was closed.

MOTION: Councilmember Scotto moved to close the public hearing. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-121. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

12b. CUP03-00022, TTM54204, VAR03-00005, EAS03-00008: ELITE HOMES (SUBTEC/CHERYL VARGO)

Recommendation

Recommendation of the **Community Development Director** and the **Planning Commission** that City Council take the following action on property located in the R-3 Zone at 739 and 745 Border Avenue and 809 Arlington Avenue:

- 1) Adopt a Negative Declaration;

- 2) Adopt a Resolution to deny the administrative appeal and approve as conditioned a Conditional Use Permit (CUP03-00022) to allow the construction of a nine-unit condominium development;
- 3) Adopt a Resolution approving a Tentative Tract Map (TTM54204) for condominium purposes and to allow the consolidation of three parcels into one parcel and the vacation of approximately 300 square feet of public right-of-way along Border Avenue fronting the subject properties, and
- 4) Adopt a Resolution approving a Variance (VAR03-00005) for use of tandem parking.

Mayor Walker announced that this was the time and place for a public hearing on this matter, and City Clerk Herbers confirmed that the hearing was properly advertised.

With the aid of slides, Planning Manager Isomoto provided an overview of the project and the surrounding area and reported on the Planning Commission's action.

Councilmember Scotto suggested the possibility of adding more parking along the alley. Planning Manager Isomoto explained that the area by the alley counts toward open space requirements, however, staff could see if there was another way to satisfy this requirement and enhance parking.

Cheryl Vargo, representing Elite Homes, briefly described the project, noting the revisions that were made in response to concerns discussed at the Planning Commission meetings. She stated that neighbors expressed concerns about traffic, but access to the project would be from the alley so residential streets would not be impacted. With regard to parking, she maintained that the project would actually relieve the parking situation because it would provide 25 parking spaces for 9 units, as opposed to the 4 spaces for 6 units currently on the subject property.

Ms. Vargo provided clarification regarding the proposed public right-of-way vacation, explaining that the City no longer has any use for this strip of land since Border Avenue was made a cul-de-sac and that the developer has made arrangements to purchase the land from the underlying fee owner. Addressing the issue of compatibility, she stated that while there are smaller Craftsman-style homes along the east side of Border Avenue, this project is closer to the condominium projects to the south and west. She contended that the density was appropriate for this location and consistent with other developments in the vicinity.

Councilmember Mauno asked about justification for granting a variance for tandem parking. Ms. Vargo stated that tandem parking for this type of development is becoming increasingly common; that having the third parking space in the garage under the control of the individual homeowner is preferable to having it off the alley where others could use it; and that the CC&Rs will include provisions restricting the use of the tandem space to the parking of vehicles.

Ernie Nash, 735 Border Avenue, voiced his objections to the project, stating that it would tower over his property invading his privacy and taking away his sunlight. He contended that the project was too dense and that without the vacated land, it would be limited to R-2 standards and only 6 units. He related his understanding that the tandem parking does not meet Code requirements and that the project exceeds Floor Area Ratio (FAR) standards.

Planning Manager Isomoto provided clarification regarding the Code requirements for tandem parking and Floor Area Ratio standards for the R-3 Zone.

Judy Weber, 716 Border Avenue, stated that the Border cul-de-sac has maintained its character for more than 80 years; that the proposed modern condominiums would drastically alter the neighborhood, increase traffic and strain parking; and that the developments in the vicinity with higher FARs are part of the downtown commercial area, not this family-oriented neighborhood. She voiced her opinion that the interests of those in this neighborhood should take precedence over the interests of developers, who do not live in the area.

Harmoni Simmons, 736 Border Avenue, stated that the proposed project would tower over the neighborhood and change everything about it; expressed concerns that increased traffic would pose a safety hazard for neighborhood children; and urged the Council to preserve this lovely neighborhood, which can never be replaced. She doubted that the new residents would use the tandem parking.

Janice Plank, 1444 Post Avenue, a local realtor and 1st Vice President of the Torrance Historical Society, reported that people from all over the South Bay want to live in old Torrance due to its unique character and recommended that the Council deny the project because it is not compatible with the neighborhood. She conceded that the property owners have a right to develop their property, but suggested that the project should be limited to what can be built without any variances or deviations from R-3 standards.

Mike Owens, 720 Border Avenue, stated that he opposed the project for the reasons already mentioned and that he hoped the Council could appreciate residents' concerns and their passion about this issue.

Paul Tanae, 724 Border Avenue, reported that his home was built in 1920 and urged the Council to keep the neighborhood as it is.

Don Barnard, 2028 Gramercy Avenue, co-founder of Save Historical Old Torrance, submitted a letter from an architect with experience in historic preservation and noted that his organization also submitted a letter from an attorney earlier in the day. He commented on efforts to preserve historical structures in the downtown area; contended that the mass and scale of the proposed development was totally out of character with the adjacent neighborhood; and urged denial of the project.

Dave Thomas, 729 Border Avenue, commented on parking problems on his block and maintained that the proposed modern condominiums were out of character with this old-style neighborhood.

Glenn Simmons, 736 Border Avenue, asked that the Council deny the variance for tandem parking and require the developer to come closer to the R-3 Zone FAR standard of .60.

Marney Ferguson, 732 Border Avenue, stated that she bought a home in old Torrance because it reminded her of the area in Hermosa Beach where she grew up before it was taken over by condominiums and expressed concerns that there would be a domino effect should this project be approved and this area would suffer the same fate.

Liz Fobes, 1731 Andreo Avenue, stated that opponents had presented a reasonable argument for denial of the project based on the letter submitted from the architect, which indicates that this area potentially qualifies for listing on the National Historic Register, and the letter from the attorney who specializes in CEQA (California Environmental Quality Act), which indicates that the Initial Study prepared for the project is

incomplete because it fails to consider the historical context of the project site and that an Environmental Impact Report is legally required before the project can go forward.

Bonnie Mae Barnard, 20280 Gramercy, co-founder of Save Old Historical Torrance, stated that residents feel their concerns are being ignored and they are disappointed because they do not seem to have the same clout as developers. She reported that her organization obtained expert opinions to bolster their argument and that these opinions confirm that the area has historical significance and this must be considered in the evaluation of the project.

Ms. Barnard provided background information about the original design of Torrance as a planned community; noted that Torrance received the All American City award from the National League of Cities in 1956 for growth without strain; contended that this project and others like it were placing a huge strain on the community and threatening Torrance's reputation as a balanced city. She voiced her opinion that the proposed condominiums were totally out of proportion and out of character with the adjacent area and asked that the project be denied so that what remains of historical old Torrance can be preserved.

Returning to the podium, Ms. Vargo noted that the project's density is allowed in the R-3 Zone and consistent with other developments in the area; pointed out that the existing structures on the site have no historical significance and have not been well maintained; and explained that the only variance being requested was to allow the third parking space to be in tandem in order to maximize open space. Commenting on the tendency to demonize developers, she noted that most of the homes in Torrance were built by developers and that along with the profits, there are risks involved in developing property. She stated that while the small lots on the east side of Border might qualify for the National Historic Register, they are currently not listed and the west side where the condominiums would be located is a hodgepodge of structures. She stated that the Environmental Assessment prepared by Planning staff correctly determined that the project would not have a significant impact on the environment and voiced her opinion that the Council would be acting responsibly by approving a Negative Declaration.

In response to Mayor Walker's inquiry, Ms. Vargo indicated that one unit would have to be eliminated if the Council chose to deny the requested vacation of the public right-of-way.

MOTION: Councilmember Scotto moved to close the public hearing; the motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

Noting that he had an opportunity to visit the site and meet with residents, Mayor Walker stated that he did not believe the proposed project would drastically change the character of the neighborhood, threaten efforts to preserve historical structures, or cause a rash of R-3 development given the area and the size of the lots. He further stated that he was not concerned about the height of the structure and thought that residents would likely use the underground parking because it was more convenient than parking on the street. He indicated, however, that he would not support the project in its present form because he did not favor allowing the developer to use the vacated land to add more units and he agreed with Councilmember Scotto's suggestion that additional parking be provided off the alley. He voiced his opinion that with some modifications, the project could be advantageous to the neighborhood and offered his assurance that palm trees in the area would remain untouched.

Councilmember Lieu indicated that he could not support the project because it was inconsistent with this unique old Torrance neighborhood; because people who bought nearby Craftsman homes had a reasonable expectation that this type of development would not be built on the block; and because the project exceeds Floor Area Ratio standards for the R-3 Zone. He stated that while FAR standards may be exceeded with the approval of a Conditional Use Permit, he did not believe it was appropriate to do so in this case and expressed concerns that projects routinely exceed the maximum FAR set forth in the Code.

Noting that he is a resident of downtown Torrance and very familiar with this area, Councilmember Nowatka stated that while he was concerned about the project's FAR, his main concern was that the project captures none on the charm of the neighborhood and would look completely out of place.

Councilmember Mauno voiced his objection to tandem parking because it requires a lot of maneuvering of vehicles to make it work and burdens homeowners associations with the responsibility of enforcement. He also expressed concerns about the density of the project and the incompatibility of the Spanish-style façade with the Craftsman-style homes in this neighborhood. He indicated that he could not support the project as proposed, but felt that it could be successful if these issues were addressed.

Councilmember McIntyre echoed concerns about the scale of the project and the design's incompatibility with the neighborhood. She stated that she appreciated the wealth of information presented by residents and commented on the need for additional dialogue between residents and the developer so that a project could be designed which enhances the neighborhood rather than destroying it.

Councilmember Witkowski took exception to the idea that councilmembers do not listen to the concerns of their constituents, commenting on the Fairfield project, which was withdrawn after residents expressed strong opposition. Noting that she was formerly very active in the Torrance Historical Society, she recalled that several years ago, members made an effort to identify historical buildings in Torrance and have them listed on the historic register and related her understanding that this process is still available to those residents who wish to preserve their homes. She expressed concerns that the owners of the subject property, which is appropriately zoned for this project, were being penalized because it is located in this neighborhood. Commenting on the tandem garages, she stated that she personally would love to have a three-car garage, tandem or otherwise, and believed that having direct access from the garage to each of the units was a definite plus. She suggested that parking problems on Border might be relieved if more residents used their garages and driveways to park their vehicles.

Referring to the letter submitted from the attorney, Councilmember Witkowski asked about the contention that the City was in violation of CEQA by not requiring an Environmental Impact Report for this project.

Indicating that he had not seen the letter, Assistant City Attorney Pohl explained that City planners make an initial assessment to determine what level of review is necessary for a project to go forward; that there is a lot of subjectivity involved in making this judgment, and that it was not uncommon for environmental lawyers and planners to disagree on the level of review required. He noted that should the matter be litigated, a judge would have to render a decision.

Councilmember Scotto indicated that he shared his colleagues' concerns about the project's density, tandem parking, and using vacated land to increase the number of

units and stated that he would like to see a project more compatible with the neighborhood and with a Floor Area Ratio closer to .60.

MOTION: Councilmember Scotto moved to deny the project without prejudice. The motion was seconded by Councilmember Nowatka, and discussion briefly continued.

Community Development Director Gibson requested clarification of the motion, and Councilmember Scotto indicated that it was his intent that the redesigned project be sent back to the Planning Commission.

The motion passed by unanimous roll call vote.

For the benefit of the applicant, Mayor Walker, echoed by Councilmember Nowatka, indicated that he did not object to tandem parking for the third vehicle.

Councilmember Mauno encouraged the applicant to use a Craftsman-style design for the exterior of the project, and Councilmember McIntyre stated that she was mainly concerned about the size and the mass of the project.

The Council briefly entertained the idea of waiving fees associated with the new application, but Mayor Walker recommended against setting a precedent. With the concurrence of the Council, he directed staff to charge the minimum fees allowable and to expedite the application through the approval process.

*

The Council met as the Redevelopment Agency from 9:05 p.m. to 9:10 p.m.

16. ORAL COMMUNICATIONS

16A. City Manager Jackson thanked everyone for the cards, flowers and kind sentiments after the recent passing of his mother-in-law.

16B. Councilmember Lieu noted that at 2:51 a.m., Mars would come as close to the Earth as it has in the last 60,000 years.

16C. Councilmember Lieu wished everyone a happy and safe Labor Day weekend.

16D. Councilmember Mauno commended all involved in Torrance Symphony concert at Wilson Park the previous Sunday, stating that it was a fantastic event with top-notch music.

16E. Councilmember Mauno commented on the departure of the Kashiwa exchange students.

16F. Councilmember McIntyre echoed comments on the concert in the park.

16G. Councilmember McIntyre commended Paul's Photo shop for setting up telescopes so the public could get a better view of Mars.

16H. Councilmember Nowatka echoed comments on the Kashiwa students.

16I. Councilmember Nowatka stated that the concert in the park was excellent, but noted a problem with the Torrance Skate Association holding a hockey game at the same time.

16J. Councilmember Scotto asked for City Council concurrence to acknowledge the West Torrance Little League 9 & 10-year-old girls Softball All Stars as Section 3 champions.

16J. Councilmember Scotto asked for City Council concurrence to acknowledge the West Torrance Little League 9 & 10-year-old girls Softball All Stars as Section 3 champions.

16K. Councilmember Witkowsky stated that she also enjoyed the concert in the park and commended the Torrance Symphony Association for a wonderful afternoon.

16L. Councilmember Witkowsky expressed wishes for a happy and safe Labor Day weekend.

16M. Mayor Walker commented on his attendance at an event at Alpine Village the previous Saturday.

16N. Mayor Walker echoed previous comments on the concert in the park.

16O. Owen Griffith, Torrance Symphony Vice President, thanked City staff, Parks and Recreation, General Services, Farmers Market, and Police for their assistance with the concert. He noted that in 11 years of performing at the park, this was the first time there was a conflict with the Skate Association and asked that there be better scheduling in the future.

16P. Bob Del Vecchio, Torrance Skate Association, apologized for interfering with the concert on Sunday, stating that it was a series of communication breakdowns and that there was now a process in place to ensure that it does not happen again.

16Q. Jeff Huber, business manager at 25560 Crenshaw Blvd., brought forward a complaint regarding the overgrown ficus trees adjacent to his building, noting his previous efforts to get the City to trim the trees.

16R. Irene Griffith, 3416 W. 229th Street, expressed concerns that recent proposals to rezone commercial land for a residential developments could upset the balance of the City and suggested that the 1992 General Plan be updated so that the long-term impact of these changes could be addressed. She stressed the importance of having a good plan to deal with the City's growth.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 9:30 p.m., the meeting was adjourned to Tuesday, September 16, 2003, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, September 2, 2003 and Tuesday, September 9, 2003 will be Council dark nights.**

***Adjourned in Memory of
Lionel Davis***

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on November 4, 2003

Sue Sweet
Recording Secretary